

## **REMARKS**

The Office Action, dated December 19, 2007, has been received and carefully noted. The above amendments to the specification, abstract and claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1 and 3-5 are pending in the application, of which claim 1 is independent. Specifically, Applicants amended claims 1 and 3-5 to more particularly point out and distinctly claim the subject matter of the present application. It is respectfully submitted that the amendment adds no new subject matter to the present application and serves only to place the present application in better condition for examination. Therefore, entry of the amendment and reconsideration and allowance of claims 1 and 3-5 are respectfully requested. In particular, it is believed that all grounds for rejection in the Office Action have been addressed and that the present application is currently in condition for allowance in view of the amendment and the following arguments.

### **Rejection under 35 U.S.C. §112, Second Paragraph**

Claims 1 and 2-5 are rejected under 35 U.S.C. §112, second paragraph as allegedly failing to particularly point out and distinctly claim the subject matter that the inventors regard as the invention. In response, Applicants herein amend claims 1 and 3-5 to address this rejection. Applicants believe that the amendments do not add any new subject matter to the present application and instead serve merely to clarify the recited subject matter. In particular, Applicants have attempted to amend the claims as requested to clarify the subject matter of the present application. If any additional amendments are

deemed necessary to address these or other formality concerns, Applicants respectfully request that the undersigned representative be contacted to discuss these additional claim amendments.

It is believed that this ground for rejection of the claims is now moot in view of the claim amendments. Withdrawal of this rejection and allowance of the pending claims 1 and 3-5 are therefore respectfully requested.

#### Objection to the Specification

The Office Action further objected specification as containing as containing Abstract that is too long and contains legal and patent terms, such as “means.” In response, Applicants herein amended the Abstract. Applicants also amended the specification to address a minor error.

It is believed that this ground for objection to the specification is now moot in view of the amendments to the specification. Withdrawal of this objection is therefore respectfully requested.

#### Rejection under 35 U.S.C. §102(e)

The Office Action rejected claims 1 and 3-5 under 35 U.S.C. §102(e) as being anticipated by U.S. Published Patent Application No. 2002/0073114 (Nicastro). Applicants respectfully submit that Nicastro fails to disclose or suggest all of the features recited in any of the pending claims.

Independent claim 1, from which claims 3-5 depend, relates to a balance management system for managing balances occurring in each of a plurality of processes. The system includes information acquiring means for acquiring, for a process, first information on a process item and a balance amount associated with the process item, wherein the first information is acquired from a first terminal corresponding to the process. The system further includes information management means for managing, for the process, second information on a balance of a balance item and third information on a correspondence between the balance of the balance item and the balance amount of the process item. The system also includes information updating means for updating the second information on the balance of the balance item, on the basis of the third information managed by the information management means and the first information acquired by the information acquiring means. The system further includes information providing means for providing a second terminal with the second information corresponding to one or more processes managed by the information management means, and first means for enabling a flexible setting of the third information according to a user's input.

As described in the background section, the technical challenge addressed in the present application relates to managing and tracking balances in multiple processes, where, for example, the equipment costs fluctuate due to occurrences of a decrease (expenditure) in a money balance and an increase (income) in a material balance and due to a high or low price of equipment purchased. With increasingly complicated products, however, the number of processes becomes enormous and each process is more

complicated. This results in too many types of expenditures and incomes and too many patterns of fluctuations in each process. Thereby, in some cases, balances in a plurality of processes are entangled, and thus it is hard for a user to grasp the balance conditions.

In response to this technical problem, as recited in the proposed claim 1, the present invention is directed to a system that includes:

- (1) information acquiring means for acquiring, for a process ( $p_j$ ), first information on a process item ( $x_j$ ) and a balance amount ( $\Delta q_j$ ) associated with the process item ( $x_j$ ), wherein the first information is acquired from a first terminal (10) corresponding to the process ( $p_j$ );
- (2) information management means for managing, for the process ( $p_j$ ), second information on a balance ( $q_{jk}$ ) of a balance item ( $b_k$ ) and third information on a correspondence ( $c_k$ ) between said balance ( $q_{jk}$ ) of said balance item ( $b_k$ ) and the balance amount ( $\Delta q_j$ ) of said process item;
- (3) information updating means for updating the second information on the balance ( $q_{jk}$ ) of the balance item ( $b_k$ ), on the basis of the third information managed by the information management means and the first information acquired by the information acquiring means;
- (4) information providing means for providing a second terminal (20) with the second information of the balance ( $q_{jk}$ ) of the balance item ( $b_k$ ) managed by the information management means; and
- (5) first means for enabling a flexible setting of the third information according to a user's input.

In contrast, Nicastro generally relates to a system for defining and managing an asset, such as a building under construction. The system in Nicastro includes a data store for item specification data provided on a host computer coupled to a network, and the system further includes a data input toolset, a data modification toolset including project management tools; and a teamwork toolset. The data modification toolset may include at least one item procurement system, a cost management system, a project management

system, and an information collection system. Each system includes a database interface allowing the system to retrieve, use and modify data subject to permissions granted by project manager.

Thus, Nicastro provides a system in which parts of an asset are defined, and costs for each of these parts is determined and stored. Nicastro does not relate to tracking the balances over multiple processes, and changes in the balances (i.e., balance amounts). In particular, Nicastro relates to tracking costs for parts of an asset, and not for tracking the balances associated with each of these parts when producing multiple assets. While the Office Action at the first paragraph of page 3 asserted that tracking costs for part is the same as tracking balances, this assumption is incorrect since, as described in the present application, costs are a component of the balance. Moreover, there appears to no way to adapt Nicastro to meet the technical challenge of the present application.

Referring to claim 1, Nicastro does not appear to disclose:

(1) information acquiring means for acquiring, for a process ( $p_j$ ), first information on a process item ( $x_j$ ) and a balance amount ( $\Delta q_j$ ) associated with the process item ( $x_j$ ), wherein the first information is acquired from a first terminal (10) corresponding to the process ( $p_j$ );

As described above, Nicastro appears to track costs and not a changing balance for a process. Moreover, there is no suggestion in Nicastro of the first terminal associated with each of the processes.

Continuing with claim 1, Nicastro also does not appear to disclose:

(2) information management means for managing, for the process ( $p_j$ ), second information on a balance ( $q_{jk}$ ) of a balance item ( $b_k$ ) and third information on a correspondence ( $c_k$ ) between said balance ( $q_{jk}$ ) of said balance item ( $b_k$ ) and a balance amount ( $\Delta q_j$ ) of said process item;

As described above, Nicastro tracks costs and not a changes in the balance for a process as produced according to the balance of the balance item and to correspondence ( $c_k$ ) between the balance and the balance amount. Also, Nicastro does not disclose defining a correspondence between the stored balance and a new balance value. Thus, Nicastro does not disclose a structure for tracking and evaluating the balance changes.

Continuing with claim 1, Nicastro also does not appear to disclose:

(3) information updating means for updating the second information on the balance ( $q_{jk}$ ) of the balance item ( $b_k$ ), on the basis of the third information managed by the information management means and the first information acquired by the information acquiring means;

As described above, Nicastro tracks costs and does not disclose the defining of a correspondence between the stored balance and a new balance value. Thus, Nicastro does not disclose a structure for updating process balance to reflect the changes.

Continuing with claim 1, Nicastro also does not appear to disclose:

(4) information providing means for providing a second terminal (20) with the second information of the balance ( $q_{jk}$ ) of the balance item ( $b_k$ ) managed by the information management means

As described above, Nicastro appears to track costs and not a changing balance for a process. Moreover, there is no suggestion in Nicastro of the second terminal, distinct from the first to display the balances associated with each of the processes.

Continuing with claim 1, Nicastro also does not appear to disclose:

(5) first means for enabling a flexible setting of the third information according to a user's input.

This claim recitation is simply not taught or suggested in Nicastro. In particular, certain embodiments of the present application allow the user not only to set the third information but to also flexibly select and/or change the third information, thereby enabling to manage the balance of the balance item flexibly according to various conditions in each process. These advantages are described, for example, at paragraphs [0010], [0031], and [0042] of the U.S. patent publication that corresponds to the present application.

Likewise, there is no disclosure of Nicastro some of the further limitations of the dependent claims. Referring for example to claim 3, there is also no suggestion in Nicastro of third terminal, distinct from the first and second terminals, to allow a user to define the correspondences between the balances and the balance amounts or to define these at the third terminal.

Thus, Applicants submit that Nicastro fails to disclose or suggest all of the features recited in claims 1 and 3-5. Reconsideration and allowance of claims 1 and 3-5 are therefore requested.

In view of the foregoing, Applicants respectfully submit that each of the claims 1 and 3-5 recites subject matter which is neither disclosed nor suggested by the cited reference. It is therefore respectfully requested that these pending rejections be withdrawn, and this application pass to issue with the allowance of pending claims 1 and 3-5.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by

telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Dh' followed by a long horizontal stroke.

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Enclosures: Information Disclosure Statement w/ 1 reference